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March 29, 2018

The Honorable Kevin J. McIntyre
Chairman
Federal Energy Regulatory Commission
888 1st St. NE, Room 11H
Washington, D.C. 20426

Dear Chairman McIntyre:

I write in support of several recent petitions requesting that the Federal Energy Regulatory Commission (FERC) initiate a rehearing regarding its October 13th, 2017 decision to approve the Mountain Valley Pipeline (MVP) and Atlantic Coast Pipeline (ACP).

At the time of this decision, FERC was operating with only three out of five commissioners. Moreover, the approval was a 2-1 vote, an unusual occurrence at an agency that in 2016 was unanimous in 98 percent of its decisions. Now that FERC has filled all five commissioner seats and confirmed a new Chairman, the project should be granted a rehearing so that it can most accurately reflect the will of the entire Commission.

Additionally, I would like to register my concern with the so-called “tolling order” FERC has issued in this case. It is my understanding that FERC may issue tolling orders to extend the amount of time it has to consider rehearing requests beyond the 30 days allowed by law, but that under these orders project construction may proceed while all legal action is halted. These open-ended tolling orders have the potential to undermine the judicial process, as projects can be finished and pipelines rendered fully operational during the waiting period. I urge you to expeditiously consider the rehearing requests regarding MVP and ACP.

Finally, because new information about these projects was being submitted to FERC less than a month before a decision was made, including the relatively recent proposal to expand the ACP into South Carolina, the public was not given sufficient time to assess the full impact of the pipeline.

As you know, large-scale pipeline projects like ACP are expensive and can have enormous environmental repercussions. For a project that has generated so much public interest, it is necessary that the American people, including my constituents in North Carolina, have complete confidence in the procedures and decisions made at FERC. I believe it is a reasonable

expectation for the Commission to grant a rehearing in which all commissioners can evaluate the decision, new evidence can be examined, and public concerns can be adequately heard.

Thank you for your consideration, and I look forward to your reply.

Sincerely,



DAVID E. PRICE
Member of Congress